Amendments to Senate Bill No. 76
1st Reading Copy

Subcommittee #1 -- Administration Proposal
Framework for access

For the Senate Taxation Committee

Prepared by Lee Heiman
February 10, 2007 (8:59am)

1. Title, line 7.
Strike: "ALL"
Insert: "CERTAIN"

2. Page 2.
Following: line 16
Insert: "(3) The legislative fiscal analyst may not obtain copies
   of:
   (a) Montana individual income tax returns, reports, or
records protected under 15-30-303; or
   (b) the Montana tax returns, reports, or records of
nonpublicly traded entities unless the income, expenses, or
credits of the entities are reported in the federal or Montana
return or report of a publicly traded entity.
   (4) (a) The department shall make Montana individual income
tax information and tax information of nonpublicly traded
entities available by removing federal taxpayer return
information and, subject to subsection (4)(b), by removing names,
addresses, occupations, social security numbers, and taxpayer
identification numbers and substituting in their place a state
accounting record identifier number. Except for the purposes of
complying with federal law, the department may not alter the data
in any other way.
   (b) The department shall provide the name and address of a
taxpayer on receipt of certification by the legislative fiscal
analyst that the values on the requested return, including
estimated payments, are necessary to make proper analysis of
state revenue and are of sufficient magnitude to materially
affect the analysis and the identity of the taxpayer is necessary
to evaluate the effect of the return or payments on the analysis
being performed.
   (c) If the department cannot identify an entity as
nonpublicly traded, it must treat the entity as publicly traded.
   (d) The data is subject to the same restrictions on
disclosure as are individual income tax returns and corporation
license tax returns."
Renumber: subsequent subsections

1   SB007604.alh

3. Page 9, line 13.
Following: "~~not~~"
Insert: "not"
Strike: "individual income tax"

4. Page 9, line 14.
Strike: "<u>information as provided in</u>"
Insert: "copies of:
     (a) Montana individual income tax returns, reports, or records protected under"
Following: "15-30-303"
Insert: "; or
     (b) the Montana tax returns, reports, or records of nonpublicly traded entities unless the income, expenses, or credits of the entities are reported in the federal or Montana return or report of a publicly traded entity.
     (7 (a) The department of revenue shall make Montana individual income tax data and tax data of nonpublicly traded entities available by removing federal taxpayer return information and, subject to subsection (7)(b), by removing names, addresses, occupations, social security numbers, and taxpayer identification numbers and substituting in their place a state accounting record identifier number. Except for the purposes of complying with federal law, the department may not alter the data in any other way.
     (b) The department shall provide the name and address of a taxpayer on receipt of certification by the budget director that the values on the requested return, including estimated payments, are necessary to make proper analysis of state revenue and are of sufficient magnitude to materially affect the analysis and the identity of the taxpayer is necessary to evaluate the effect of the return or payments on analysis being performed"

5. Page 9, line 16.
Following: "~~way.~~"
Insert: "(c) (c) If the department cannot identify an entity as
    nonpublicly traded, it must treat the entity as publicly
    traded.
    (d) "

- END -